REMARKS

The present application contains claims 21 through 30. Claims 1 through 23 have been allowed. Claims 24 through 26 have been amended and claims 27 through 30 have been newly added.

The acknowledgement of the claim for convention priority and the acknowledgement that certified copies of the priority documents have been received by the Patent Office are duly noted.

Claims 24 through 26 have been rejected under 35 U.S.C. §102.(b) as anticipated by Erlichman et al. (Patent '357). This rejection is respectfully traversed as regards claims 24 through 26, as presently amended.

The Examiner states that Erlichman discloses a plurality of lenses, 20 having a lens element 22, a lens holding frame 24 movable along an optical axis and a flare diaphragm 52, 53 formed by a flexible member disposed on one of an optical path of crises (it appears that the Examiner intended to use the phrase "optical lenses") and (in?) a vicinity thereof such that said flare diaphragm contacts one of said lenses and said lens holding frame so as to be deformed when said lens holding frame is moved in a given direction along an optical axis.

It is submitted that the Erlichman '357 Patent does not recognize the problem recognized by the present inventor and therefore fails to teach any device or apparatus for solving the problem.

Patent '357 teaches a **shutter assembly** formed of two (2) flexible blades 50 and 51 each respectively provided with an aperture 52 and 53. The blades are driven by a pinion 60 which, in turn, is driven by a stepper motor 44. Pinion 60 engages rack extension segments 56 and 58 respectively provided along edges of the blades 50 and 51, causing the openings 52 and 53, which are initially displaced from one another, to block light entering lens 22 from passing to the sensitive photographic film, to move together whereby the openings are caused to overlap one another to allow light to pass through the opening. By driving the stepping motor 44, the apertures are caused to overlap allowing light to pass therethrough. The openings are eventually displaced from one another, again closing the shutter. In order to allow the flexible shutter blades 50, 51 to maintain a **constant distance** from lens 22, the upper frame 46 and lower frame 48, which serve as guides for the blades 50 and 51, are also flexible and are each provided with a pair of spaced apart brackets 64 having hemispheric shaped bosses 66. The rear end of the cylindrical lens mount 24 is provided with a circular flange 68 that is trapped between the hemispheric bosses 66 arranged on opposite sides of the circular flange 68 while enabling the circular flange to freely slide relative to the hemispheric bosses 66 allowing unrestricted revolving movement of the circular flange 68 as lens mount 24 is rotated in order to focus the taking lens 20.

Thus, as the lens mount is moved forwardly, as shown in Fig. 3 or rearwardly, as shown in Fig. 5, relative to the intermediate position shown in Fig. 4, circular flange 68 urges the flexible blades to bend into a curved shape when driven in the forward direction as shown in Fig. 3 and when driven in the rearward direction as shown in Fig. 5.

It should be noted that the flexible shutter of the '357 Patent requires that there be a positive coupling between the cylindrical lens mount 24 (through flange 68) and the flexible blades, 50, 51 (through the hemispheric bosses 66) in order to maintain the spacing between the taking lens 20 and the flexible shutter **constant**.

As an alternative embodiment, the '357 Patent teaches that the apertures 52 and 53 of the flexible blades collectively form a separate single aperture which is fixedly mounted with respect to the cylindrical lens mount 24, the size of the apertures 52 and 53 being described as larger than the fixed aperture stops so that they do not interfere with the optical characteristics of the objective taking lens 20.

It should be noted that the present invention is directed to a flare diaphragm which has the function of preventing deleterious light from entering into a camera body. In order to obtain these objectives in a photographic optical system in which a lens frame is selectively movable in opposite directions along the optical axis of the photographic optical system, the distance between the flare diaphragm and the adjacent lens frame constantly changes with changes in the position of the lens

frame along the optical axis so that the flare diaphragm is selectively retreated from the photographic optical path (i.e., moves further away from the optical axis) or advanced into the photographic optical path (i.e., moves closer to the optical axis) in order to prevent deleterious light from entering into a camera body.

To the contrary, it should be noted that Patent '357 does not teach a flare diaphragm but, teaches a flexible shutter in which the objective of this shutter invention is to maintain a **constant** distance between the taking lens 20 and the shutter blades 50, 51 regardless of the position of the taking lens and its lens barrel along the optical axis.

It should further be noted that it is a practical impossibility for the apertures 52 and 53 and flexible blades 50 and 51 to either individually or collectively become wider, larger or smaller in size as a function of movement of the lens frame 24 along the optical axis. Clearly these openings cannot change in size and the collective relationship of a change in size of the openings 52, 53 when the flexible blades 50 and 51 are moved is controlled exclusively by the stepper motor 44 and is not a function of the location of the lens frame 24 along the optical axis.

It is thus submitted that Patent '357 teaches away from the present invention.

Claim 24, as amended, recites that the flare diaphragm is deformed when the lens holding frame is moved in a first direction along the optical axis and returns to

an undeflected state when the lens holding frame is moved in a second direction opposite the first direction, the flexible member remaining in the undeflected state when the lens frame moves in the second direction to a location whereby the flare diaphragm is free of engagement with both the lens frame and said one of said lenses.

These features are neither taught nor remotely suggested by the '357 Patent and it is submitted that claim 24 patentably distinguishes thereover.

Claims 25 and 26 have been amended to recite limitations similar to those introduced in claim 24 and it is submitted that claims 25 and 26 likewise patentably distinguish over Patent '357.

New claims 27 through 30 all depend from one of claims 24 through 26 and patentably distinguish over the '357 Patent for the reasons set forth with regard to claims 24 through 26. In addition claims 27 through 29 recite that the flexible member respectively retreats from or enters into the optical light path responsive to the lens frame moving in said first and second directions. These features are neither taught or neither remotely suggested by the '357 Patent and it is submitted that new claims 27 through 29 likewise patentably distinguish over the '357 Patent for these added reasons.

New claim 30 recites that the flexible member is positioned to one side of an optical axis of the photographic optical system. Note, for example, Figure 9 of the

present application. The flexible blades 50, 51 of Patent '357 lie on **both sides** of the optical axis OA as shown in Figs. 1 and 2 of the '357 Patent. This feature is not found in the '357 Patent and it is submitted that claim 30 patentably distinguishes over patent '357 for these added reasons.

In view of the foregoing, it is submitted that claims 24 through 30 patentably distinguish over the art of record and reconsideration and allowance of these claims, together with allowed claims 1 through 23, are earnestly solicited.

Favorable action is awaited.

Respectfully submitted,

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